

Message

From: Ricky Gibson [rgibson@triadfreightliner.com]
Sent: 9/25/2017 12:59:16 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: EPA Small Business Notification Letter For Glider Builders
Attachments: epa2018gliders.pdf

Attached letter for your review, please let me know if you need anything else!

Respectfully:

Ricky Gibson

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, September 25, 2017 8:48 AM
To: Ricky Gibson
Subject: EPA Small Business Notification Letter For Glider Builders

Ricky,

Got your voicemail. The regulations (40 CFR 1037.150(c)) require a small business to notify EPA that they intend to utilize the small business provisions. We ask small businesses to send us a letter of notification annually that includes a number of bits of information justifying that they qualify for the small business allowances. A short letter that contains the following information is all that is needed:

- A statement that your company meets the small business criteria listed in 40 CFR 1037.150 (c) and the small business criteria specified in 13 CFR 121.201. (Assuming this is true.) Currently the size threshold for Heavy Duty Truck Manufacturers is 1500 employees – this is what is listed for NAICS Code 336120. The total number of employees includes that of the company and its affiliates (see 13 CFR 121 link below).
- A statement that your company is solely owned by (owner's name) and if there are multiple owners state each owner and the percentage ownership for each. Also describe any affiliations with other companies or state that there are no affiliations – assuming that is true.
- State the number of employees for each of the past 3 years.
- State the number of gliders that your company has built each year 2010 through 2014.
- Signed by the owner(s).

You should scan the signed letter and send the PDF file to me. I will then review it, stamp it and return it to you. You can use the wording I used above (just substitute in the actual company name) if that helps.

For your reference here are a number links to regulations that are applicable:

40 CFR 1037.150 Interim Provisions – this covers the small business exclusion requirements (1037.150(c)) and the new interim glider requirements (1037.150(t)):

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1150

40 CFR 1037.635 – Glider kits and glider vehicles:

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1635

13 CFR Part 121

Small business general provisions: describes how to determine affiliations and determine employee count:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=sg13.1.121.a.sg0&rgn=div7>

Size standards for small business:

http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=se13.1.121_1201&rgn=div8

Please give me a call if you have further questions.

Thank you,

Stephen Healy
Mechanical Engineer
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Diesel Engine Compliance Center
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